

**ORIGINAL**

JC06 Rec'd PCT/TO 08 SEP 2005  
#5

Attorney Docket No. Le A 36 111

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**RECEIVED**

In re application of: Haning, et al.

Confirmation No. 7455

Application No.: 10/516,778

18 JAN 2006

Filed: 12/03/2004

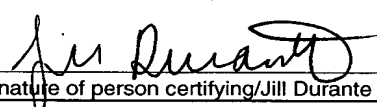
Legal Staff  
International Division

For: Use of Compounds that Stimulate cGMP

**CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence and any papers referred to as attached are being deposited, on the date shown below, with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: **SEP 06 2005**

  
Signature of person certifying/Jill Durante

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMPLETION OF FILING REQUIREMENTS  
NONPROVISIONAL APPLICATION**

This replies to the Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to applicants on 07/07/2005. A copy of Form PCT/DO/EO/905 is enclosed.

09/15/2005 HKAYPAGH 00000148 133372 10516778

01 FC:1617 130.00 DA

**DECLARATION OR OATH**

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney for this application.

**COMPLETION FEES**

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e)) \$130.00.

**ORIGINAL**

**HEIR OF DECEASED INVENTOR ULRICH NIEWÖHNER**

In regard to deceased inventor Ulrich Niewöhner, applicants have provided a copy of a Certificate of Inheritance provided by the Local Court of Wermelskirchen stating that Maria Theresia Niewöhner is the sole heir of Ulrich Niewöhner. An English translation has also been provided as well as a declaration from the technical translator.

**PAYMENT OF FEES**

The Commissioner is hereby authorized to charge Deposit Account No. 13-3372 in the amount of **\$130.00** for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account. A duplicate of this request is attached.

Respectfully submitted,

Date: **SEP 06 2005**

Registration No. 48,972

Phone: (203) 812-6450

  
Susan M. Pellegrino

Attorney for Applicant(s)  
Bayer Pharmaceuticals Corporation  
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West Haven, CT 06516-4175

**RECEIVED**

**18 JAN 2006**

Legal Staff  
Intention

**COPY**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/516,778	Helmut Haning	Le A 36111

INTERNATIONAL APPLICATION NO.
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PCT/EP03/05695

I.A. FILING DATE	PRIORITY DATE
05/30/2003	06/03/2002

35969  
JEFFREY M. GREENMAN  
BAYER PHARMACEUTICALS CORPORATION  
400 MORGAN LANE  
WEST HAVEN, CT 06516

CONFIRMATION NO. 7455

371 FORMALITIES LETTER



\*OC000000016454682\*

Date Mailed: 07/07/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/03/2004
- English Translation of the IA filed on 12/03/2004
- Copy of the International Search Report filed on 12/03/2004
- Copy of IPE Report filed on 12/03/2004
- Preliminary Amendments filed on 12/03/2004
- Information Disclosure Statements filed on 12/03/2004
- Request for Immediate Examination filed on 12/03/2004
- U.S. Basic National Fees filed on 12/03/2004
- Priority Documents filed on 12/03/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/516,778	PCT/EP03/05695	Le A 36111